

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

BRANDON SHAW and EMILY)
SHAW, individually, and as husband) No. 2:23-cv-00849
and wife, including their marital)
community comprised thereto, and on)
behalf of T.S., a minor,) **SECOND STIPULATED MOTION**
) **AND ORDER**
Plaintiffs,)
)
v.)
)
UNITED STATES POSTAL)
SERVICE, a government entity,)
)
Defendant.)
_____)

STIPULATION

COMES NOW the parties, through their respective counsel and pursuant to LCR 7(d)(1) and 10(g), stipulate to the extension of the current Order Setting Bench Trial Date and Related Dates (ECF No. 19) and continue the bench trial date currently scheduled for June 23, 2025, to a new trial date of September 8, 2025, as well as related deadlines.

There is good cause to grant this stipulated request for two reasons. First and most importantly, the parties have agreed to engage in ADR. With the current deadlines in place, both parties would be forced to spend tens of thousands of dollars on experts and discovery while

simultaneously preparing for ADR. The costs and hours spent on experts and discovery would likely foreclose the possibility of reaching a settlement at ADR.

Second, the parties have continued in diligence in discovery, retaining and preparing experts, and advancing their case. Neither party has unduly delayed.

Therefore, the parties respectfully request the Court extend the trial date and related deadlines based on the reasons set forth above. The suggested new dates are as follows:

Event	Date
JURY TRIAL SET FOR 9:30 a.m. on	September 8, 2025
Length of Trial	5 days
Disclosure of expert testimony under FRCP 226(a)(2) due	February 10, 2025
All motions related to discovery must be filed by	March 10, 2025
All dispositive motions and motions challenging expert witness testimony must be filed by this date (see LCR 7(d)). Such motions must be noted for consideration no later than 28 days after this date (see LCR 7(d)).	April 8, 2025
Settlement conference, if mediation has been requested by the parties per LCR 39.1, held no later than	July 8, 2025
All motions in limine must be filed by	August 4, 2025
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objections fields	September 8, 2025
Trial briefs, proposed voir dire questions, and deposition designations due	August 25, 2025
Pretrial conference	TBD

The parties also request that the Court refer this matter to a Magistrate Judge for mediation pursuant to LCR 39.1.

Counsel for the Plaintiffs and Counsel for the United States have conferred and agree that mediation would be beneficial and could potentially resolve this lawsuit without the need for further litigation. The Parties agree that referral to a Magistrate Judge for mediation could help potentially resolve this case and, therefore, good cause exists to refer this case to mediation.

RESPECTFULLY SUBMITTED this 24th day of September 2024.

Earl And Edwards, PLLC

United States Attorney's Office

/s/ Corbin O. Earl

/s/ Derek T. Taylor

CORBIN O. EARL, WSBA #52300
Attorney for Plaintiffs

DEREK T. TAYLOR, WSBA#46944
Special United States Attorney EDWA
Attorney for Defendant

ORDER

The Court finds good cause to extend the case schedule as requested by the parties, and therefore GRANTS IN PART that portion of their stipulated motion, with the modification that the Court adds a deadline for completion of discovery and adjusts accordingly the deadline for dispositive motions and motions challenging expert witness testimony, and corrects an erroneous deadline for the proposed jury instructions and pretrial order. Dkt. No. 28.

Event	Date
JURY TRIAL SET FOR 9:30 a.m. on	September 8, 2025
Length of Trial	5 days
Disclosure of expert testimony under FRCP 226(a)(2) due	February 10, 2025
All motions related to discovery must be filed by	March 10, 2025
Discovery completed by	April 10, 2025
All dispositive motions and motions challenging expert witness testimony must be filed by this date (see LCR 7(d)).	May 8, 2025

Such motions must be noted for consideration no later than 28 days after this date (see LCR 7(d)).	
Settlement conference, if mediation has been requested by the parties per LCR 39.1, held no later than	July 8, 2025
All motions in limine must be filed by	August 4, 2025
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objections fields	August 18, 2025
Trial briefs, proposed voir dire questions, and deposition designations due	August 25, 2025
Pretrial conference	TBD

The previous case schedule (Dkt. No. 24) is VACATED.

However, the Court DENIES IN PART the motion (Dkt. No. 28) to the extent it requests referral to a magistrate judge for a settlement conference. The parties are welcome to pursue private mediation, but the Court will not refer this matter to a magistrate judge at this stage of the proceeding. *See* Local Rules W.D. Wash. LCR 39.1(e).

Dated this 25th day of September, 2024.



Kymberly K. Evanson
United States District Judge